

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

NEAL HOUSTON,)
)
Plaintiff,) No. 1:06-CV-60 CAS
v.)
)
CHARLES DWYER, et al.,)
)
Defendants.)

ORDER

This matter is before the Court on review of the file. The Amended Complaint in this case was filed on April 16, 2007. The record does not reflect proof of service of summons and complaint on defendants LPN (FNU) Hutchison and James Purkett. See Federal Rule of Civil Procedure 4(m). Correctional Medical Services has previously stated that it will not waive service for defendant Hutchison, see Doc. 19, and the Missouri Attorney General's Office has stated that it will not waive service for defendant Purkett, see Doc. 48.

The Clerk of the Court will be directed to send summons and Marshal's forms to plaintiff's appointed counsel. Plaintiff shall fully complete these forms, providing the proper names and addresses for service of process on these defendants, and return the forms to the Clerk by August 16, 2007.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of the Court shall send summons and Marshal's forms to plaintiff's counsel, together with this Order.

IT IS FURTHER ORDERED that plaintiff shall provide the Clerk of the Court with completed summons and Marshal's forms showing the proper names and addresses for service of process upon defendants Hutchison and Purkett by August 16, 2007.

Failure to comply fully and timely with this order will result in dismissal without prejudice of the claims against defendants Hutchison and Purkett pursuant to Fed. R. Civ. P. 4(m).



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 10th day of July, 2007.